

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

FRIDAY, THE 31ST AUGUST 2007 / 9TH BHADRA 1929

Bail Appl..No. 5196 of 2007()

EXCISE CRIME NO.4/2006 OF EXCISE RANGE, TIRUR.
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PETITIONER/ACCUSED

KUNHUTTY ALIAS RAJESH, S/O RAMAN,
VALAPPURATH HOUSE, TANNUR AMSOM,
TIRUR TALUK, TANUR, MALAPPURAM.

BY ADV. SRI.P.S.SREEDHARAN PILLAI
SMT.C.G.PREETHA
SMT.A.K.RANI

RESPONDENTS: COMPLAINANT/STATE

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.GIKKU JACOB.

THIS BAIL APPLICATION HAVING BEEN FINALLY HEARD
ON 31/08/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

K.T.SANKARAN, J.

B.A.No. 5196 of 2007

Dated this the 31st day of August, 2007.

ORDER

The petitioner is the accused in Excise Crime No.4/2006 of Excise Range, Tirur.

2. The offence alleged against the petitioner is under Section 8(1) of the Abkari Act.

3. The prosecution case is that the petitioner was found in possession of 1.250 litres of illicit arrack on 14.2.2006. On seeing the excise party, the accused ran away.

4. The petitioner was arrested on 10.8.2007. He was produced before the Judicial First Class Magistrate Court, Tirur, and he was remanded to judicial custody.

5. Taking into account the fact that the quantity of arrack involved is only 1.250 litres, and the petitioner is in continued detention since 10.8.2007, I am inclined to take a lenient view and allow the bail application.

6. The petitioner shall be released on bail, on his executing a bond for Rs.15,000/= (Rupees Fifteen Thousand only), with two solvent sureties, for the like amount, to the satisfaction of the Judicial First Class Magistrate Court, Tirur.

Bail application is allowed as above.

**K.T.SANKARAN,
JUDGE**

nj.